

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:	10/713,640)	Confirmation No.:	1650
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Applicant:	Hackl)	TC/A.U.	1793
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Filed:	11/13/2003)	Examiner:	Fiorito
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Docket No.:	4764-32)		
)		
For:	METHOD FOR THIOSULFATE)		
	LEACHING OF PRECIOUS)		
	METAL-CONTAINING)		
	MATERIALS)		
)		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Applicant submits this Comments on Statement of Reasons for Allowance to address further the Notice of Allowability ("Notice") having a mailing date of December 23, 2009.

In the Notice, the Examiner's stated reasons for allowance were that:

The claims are allowed for the reasons of record. Moreover the most relevant prior art Ji US 6660059 does not teach or suggest that the oxygen is introduced under pressure into the heap by a network of conduits positioned in the base of the heap. Further, Ji cannot be relied upon for a showing of obviousness under 35 USC 103 because Ji could only be prior art under 35 USC 102(e)(2) and the applicant claims the benefit of 35 USC 103 (c)(1) because the instant application is assigned to the same assignee of the Ji patent, namely Placer Dome Technical Services Limited (See Applicant's response filed 8/27/09).

Based on the Notice, the patentability of all other independent and dependent claims is assumed to be based upon the elements as set forth in such claims and that such claims meet all criteria for patentability under §101, §102, §103 and §112.

As is clear from MPEP 1302.14,

“The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth.”

While the above-stated may be a stated reason for allowing some independent claims, Applicant submits that some independent claims have a different reason for allowance and that some independent claims have other reasons for allowance.

Specifically, the prior art fails to teach the following features of Claims 6084, 92, 100, and 101:

60. A process for recovering a precious metal from a precious metal-containing material, comprising:

(a) providing a heap of the precious metal-containing material; and

(b) passing a thiosulfate lixiviant and molecular oxygen through the heap to form a pregnant leach solution comprising dissolved precious metals, wherein the molecular oxygen is at a pressure greater than its ambient atmospheric pressure before introduction into the heap, wherein the thiosulfate lixiviant has a free ammonia content of no more than about 0.03M and wherein a dissolved molecular oxygen content of the lixiviant is at least about 1 mg/L and wherein the molecular oxygen is introduced under pressure into the heap by a network of conduits positioned in the base of the heap.

84. A process for recovering a precious metal from a precious metal-containing material, comprising:

(a) providing a heap of the precious metal-containing material; and

(b) passing a thiosulfate lixiviant and molecular oxygen through the heap to form a pregnant leach solution comprising dissolved precious metals, wherein the molecular oxygen is at a pressure greater than its ambient atmospheric pressure before introduction into the heap, wherein the thiosulfate lixiviant has a free ammonia content of no more than about 0.03M, wherein the molecular oxygen is introduced under pressure into the heap by a network of conduits positioned in the base of the heap.

92. A process for recovering a precious metal from a precious metal-containing material, comprising:

(a) providing a heap of the precious metal-containing material; and

(b) passing a thiosulfate lixiviant and molecular oxygen through the heap to form a pregnant leach solution comprising dissolved precious metals, wherein the molecular oxygen is at a pressure greater than its ambient atmospheric pressure before introduction into the heap, wherein the thiosulfate lixiviant has a free ammonia content of no more than about 0.03M, wherein a lower portion of the heap comprises a network of aerating pipes and wherein; while the thiosulfate lixiviant is passing through the heap, the molecular oxygen is passed through the network of aerating pipes and heap countercurrently to the flow of the thiosulfate lixiviant.

100. A process for recovering a precious metal from a precious metal-containing material, comprising:

(a) providing a heap of the precious metal-containing material; and

(b) passing a thiosulfate lixiviant and molecular oxygen through the heap to form a pregnant leach solution comprising dissolved precious metals, wherein the molecular oxygen is at a pressure greater than its ambient atmospheric pressure before introduction into the heap, wherein the thiosulfate lixiviant has a free ammonia content of no more than about 0.03M, wherein the thiosulfate lixiviant has a dissolved copper content of no more than about 20 mg/L and wherein the molecular oxygen is introduced under pressure into the heap by a network of conduits positioned in the base of the heap.

101. A process for recovering a precious metal from a precious metal-containing material, comprising:

(a) providing a heap of the precious metal-containing material; and

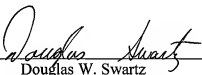
(b) passing a thiosulfate lixiviant and molecular oxygen through the heap to form a pregnant leach solution comprising dissolved precious metals, wherein the molecular oxygen is at a pressure greater than its ambient atmospheric pressure before introduction into the heap, wherein the thiosulfate lixiviant has a free ammonia content of no more than about 0.03M, wherein the molecular oxygen is in the form of a gas and the thiosulfate lixiviant and molecular oxygen flow countercurrently through the heap, wherein the molecular oxygen is introduced under pressure into the heap by a network of conduits positioned in the base of the heap, wherein a lower portion of the heap comprises a network of aerating pipes and wherein, while the thiosulfate lixiviant is passing through the heap, the molecular oxygen is passed through the network of aerating pipes and heap countercurrently to the flow of thiosulfate lixiviant.

Although the Applicant believes that no fees are due for filing this Comments on Statement of Reasons for Allowance, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

Date: Jan 11, 2010

By: 
Douglas W. Swartz
Reg. No. 37,739
1560 Broadway, Suite 1200
Denver, Colorado 80202
Telephone: 303-863-9700